

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SIX SIS AG,

Defendant.

Adv. Pro. No. 12-01195 (SMB)

**SO ORDERED STIPULATION REGARDING CERTAIN  
SUBSEQUENT TRANSFERS FROM KINGATE GLOBAL FUND LTD.  
REFERENCED IN THE TRUSTEE'S PROFFERED ALLEGATIONS**

WHEREAS, on June 29, 2015, pursuant to the Court's "Order Concerning Further Proceedings on Extraterritoriality Motion and Trustee's Omnibus Motion for Leave to Replead and for Limited Discovery," the Trustee filed Proffered Allegations Pertaining to the Extraterritoriality Issue as to SIX SIS AG ("Proffered Allegations"), which included the following at paragraph 2:

Since the filing of the Complaint, the Trustee has uncovered documents evidencing additional subsequent transfers to SIX SIS of at least . . . \$7,891,893 from Kingate Global. These additional transfers will be included in an amended complaint.

(ECF No. 79); and

WHEREAS, the Trustee's Proffered Allegations in paragraph 2 mistakenly identified SIX SIS AG as the recipient of the additional \$7,891,893 in subsequent transfers from Kingate Global Fund, Ltd. (the "Additional Kingate Global Subsequent Transfers");

WHEREAS, the Additional Kingate Global Subsequent Transfers are comprised of a subset of the 55 redemption payments referenced in paragraph 13 of the Proffered Allegations.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel that:

1. The Trustee acknowledges that SIX SIS AG was not the recipient of the Additional Kingate Global Subsequent Transfers. The Trustee will not include in an amended complaint, if any, against SIX SIS AG any claims for the Additional Kingate Global Subsequent Transfers.

2. Except as expressly stated in paragraph 1, above, nothing in this stipulation shall affect either party's claims, defenses, or argument in this action. Both parties expressly reserve all rights.

Dated: September 22, 2015  
New York, New York

BAKER & HOSTETLER LLP

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Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
Bernard L. Madoff*

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*Attorneys for Defendant SIX SIS AG*

SO ORDERED

Dated: September 25<sup>th</sup>, 2015  
New York, New York

/s/ STUART M. BERNSTEIN  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE